IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA,) 0.46M 1046
	Plaintiff,) 8:16MJ316)
	vs.	DETENTION ORDER
A١	ITHONY MC QUINN,	
	Defendant.	
A.	Order For Detention After conducting a detention hearing purs Act on October 3, 2016, the Court or pursuant to 18 U.S.C. § 3142(e) and (i).	suant to 18 U.S.C. § 3142(f) of the Bail Reform ders the above-named defendant detained
B.	The Court orders the defendant's detent X By a preponderance of the exconditions will reasonably assure X By clear and convincing evidence	
C.	contained in the Pretrial Services Repor X (1) Nature and circumstances of X (a) The crime: the methamphetamine (C a maximum sentence (b) The offense is a crime (c) The offense involves a (d) The offense involves a (d)	the offense charged: possession with intent to distribute ount I) in violation of 21 U.S.C. § 846 carries of twenty years imprisonment. e of violence. a narcotic drug. a large amount of controlled substances, to wit:
	may affect wh The defendar The defendar The defendar The defendar The defendar The defendar ties. Past conduct X The defendar Court proceed	nt appears to have a mental condition which nether the defendant will appear. In that has no family ties in the area. In that has no steady employment. In that has no substantial financial resources. In that has no substantial financial resources. In that has no substantial financial resources. In that has a long time resident of the community. In the defendant: In that a history relating to drug abuse. In that a history relating to alcohol abuse. In that a significant prior criminal record. In that a prior record of failure to appear at

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	(c) C	Release pending trial, sentence, appeal or completion of sentence. Other Factors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
X		ture and seriousness of the danger posed by the defendant's
	release defenda	are as follows: The nature of the charges in the Indictment and the int's substance abuse and criminal history.
X		able Presumptions
		mining that the defendant should be detained, the Court also relied bllowing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
	which th	ne Court finds the defendant has not rebutted:
		That no condition or combination of conditions will reasonably
		ssure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that
		ne crime involves:
	_	(1) A crime of violence; or (2) An offense for which the maximum penalty is life
	_	imprisonment or death; or
	<u> </u>	 X (3) A controlled substance violation which has a maximum penalty of 10 years or more; or
		(4) A felony after the defendant had been convicted of two
		or more prior offenses described in (1) through (3)
		above, <u>and</u> the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which
		is less than five years old and which was committed
	V (b) T	while the defendant was on pretrial release.
		hat no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety
of the community because the Court f		of the community because the Court finds that there is probable
	С	ause to believe: X (1) That the defendant has committed a controlled
	_	 X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of
		10 years or more.
	_	(2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous
		weapon or device).

 D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending

 appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 3, 2016. BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge